

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Business Meeting held November 21, 2006

A regular business meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:33 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Shawn Magaro, Human Resource Manager, and Donna Speakman, Finance Director.

Pledge of Allegiance

Mr. Seeds led the recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the October 10, 2006 workshop meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Ms. Elise Jures, 3812 Maple Street, Susquehanna Township, reported that she has a problem that has been created as a result of a lack of an ordinance in Lower Paxton Township. She explained that she lives in a residential area where several businesses infringe on her rights by the use of search lights. She noted that a Township business uses a search light that shines across her property line from 6:28 p.m. until 4 a.m. She noted that this has been on-going for more than 10 months.

Ms. Jures explained that she is an amateur astronomer, and a spot light over her property is not appropriate for a residential area. She noted that she would like to be able to view the stars at night using her telescope which is impossible at this time due to the lighting from the area

business. She explained that she has researched ordinances from Arizona and noted that they prohibit the use of extreme lighting for the following reasons: a costing saving measure, degradation of the nighttime visual environment, interference with the use of her property, and the loss of the often neglected scenic view of the night sky. She noted that she can no longer view the night sky with her telescopes since the light constantly sweeps across her property every four seconds.

Ms. Jures requested that the Township enact an ordinance that would prohibit this type of lighting. She noted that this devalues her property, and the other neighbors have complained about the lighting. She stated that she would be willing to compromise for a new business that is advertising, or the advertisement of special sales, but the lighting activity should be restricted to two or three times a year.

Mr. Crissman questioned what the name of the business was. Ms. Jures answered that it is the Oasis Gentlemen's Club. She noted that, recently, they experienced a fire and the light is not in service at this time. She stated that she wanted to ensure that the spot light will not be used again when the business reopens.

Mr. Wolfe suggested that this may be covered under the recently adopted new zoning ordinance. He noted that he would research this and report back to the Board members.

Chairman and Board Member's Comments

No comments were presented by Board members.

Manager's Report

Mr. Wolfe explained that open burning is not permitted in the Township. He noted that it is illegal to burn leaves as they are defined as a recyclable material and may not be burned. He noted that the Township provides for residents to deliver leaves and yard waste at the Township's Compost Facility located on Conway Road, or they can rake their leaves to curbside,

and the leaves will be picked up. He noted that a copy of the Leaf Collection Schedule is available at the Township Municipal Center or by viewing the Township's website. In addition, residents are afforded the opportunity to participate in the Township's bi-weekly leaf waste curbside collection program at a cost of \$66 per year.

Mr. Wolfe noted that the Parks and Recreation Department will be hosting the annual Christmas Tree Lighting Ceremonies on Friday, December 1st at 7 p.m. at the Friendship Community Center (FCC). He noted that a visit from Santa Claus is planned. In addition, the Breakfast with Santa events will be held on Saturday December 2nd and 9th starting at 9 a.m. Reservations are required for the breakfast events, and can be made by calling the FCC at 657-5635. He noted that the Board members help to host the Breakfast events.

Mr. Wolfe noted that the Township Municipal Center will be closed on Thursday, November 23, and Friday, November 24th in observance of the Thanksgiving holiday.

Old Business

There is no old business.

New Business

Resolution 06-49; applying for funding for police officer training from the MPOETC

Mr. Hawk noted that Act 120 provides for reimbursement to the Township for training for police officers who attend basic training at Harrisburg Area Community College. He noted that this would cover partial training for Officer Steven Wertz who graduated on November 17, 2006.

Mr. Crissman made a motion to approve Resolution 2006 – 49; Applying for funding for police officer training from the Municipal Police Officers Education and Training Commission. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and all five members voted aye.

Resolution 06-50; Setting special exception and temporary sign escrow
deposit fees as per the Zoning Ordinance

Mr. Wolfe explained that with the adoption of the new Zoning Ordinance this past fall, two new features were developed, the first item is uses by special exception, which are heard by the Zoning Hearing Board, similar to conditional use hearings, which are heard before the Board of Supervisors. Mr. Wolfe explained that there was a need to establish a fee for those applications for uses by special exception. He noted that the recommended fee is the same fee that the Township charges for a Zoning variance, which is \$250.00 for a residential special exception, and \$425.00 for a non-residential special exception.

Mr. Wolfe noted that the Township also needs to establish an escrow deposit fee for temporary signs that don't require a permit fee, but require a deposit with the Township, which will ensure that the signs are removed after the temporary period has expired. He noted that the temporary deposit fee is suggested to be \$100.00, and the political deposit escrow fee is \$100 per individual candidate, or \$ 250 for a political party covering candidates endorsed by that party.

Mr. Blain made a motion to approve Resolution 2006-50, setting a special exception and temporary sign escrow deposit as per the new Zoning Ordinance. Mr. Crissman seconded the motion, and a unanimous voice vote followed.

Change Order #2 and #5 for the Page Road Extension construction contract

Mr. Wolfe explained that the Change Order Number Two involved the need for additional soil in the amount of 142 tons at the rate of \$10 per ton, at an area on Page Road. He noted that this amounts to a change order in the amount of \$1,423.50. Mr. Wolfe explained that Change Order Number Five is for a time extension until the end of 2006. He noted that the Page Road construction project is near completion with additional change orders forthcoming for the December Supervisor's meeting.

Mr. Crissman made a motion to approve Change Order Number Two, increasing the project in the amount of \$1,423.50 for additional top soil, and Change Order Number Five, for an extension in the contract time from September 30, 2006 until December 30, 2006.

Mr. Blain seconded the motion, and a unanimous voice vote followed.

Resolution 06-44; Accepting Forest Lane and Kensington Way in the Estates of Forest Hills,
Phase 5

Resolution 06-45; Accepting Abbey Lane, Forest Lane, and Kensington Way in the Estates of
Forest Hills, Phase 6

Resolution 06-48; Accepting portions of Embers Lane and Fireside Circle in Hearthside

Mr. Wolfe explained that the acceptance of a street is brought to the Board for their approval after an inspection has been completed by Township staff and the Township Engineer. He noted that the developer is required to provide a legal description, a release of liens, and a maintenance bond in the amount of 15% of the total construction costs of the public roadway. Mr. Wolfe noted that the streets have been inspected, the release of liens has been received, the deed of dedication has been prepared, and the maintenance bonds have been provided for all three resolutions.

Mr. Crissman inquired if the three resolutions could be grouped together. Mr. Stine answered that as long as the minutes reflect the approval, there is no need to approve each separately.

Mr. Crissman made a motion to approve Resolutions 2006-44, 2006-45, and 2005-48, accepting the streets names: Forest Lane, Kensington Way, Abbey Lane, Forest Lane, and Kensington Way in Forest Hills, and portions of Embers Lane and Fireside Circle in Hearthside, and the maintenance agreements for all three resolutions. Mr. Blain seconded the motion.

Mr. Blain noted that the phases should be listed for the two Resolutions concerning Forest Hills. Mr. Crissman amended his motion to include Phase Five and Six for Forest Hills

Resolutions respectively. Mr. Hawk called for a roll call vote; Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 06-46; Planning Module for Briarsdale Road 30 Room Hotel

Mr. Wolfe explained that this is a planning module that will plan for sanitary sewer facilities in the Spring Creek drainage basin in Lower Paxton Township in accordance with the sewage facilities plan.

Mr. Crissman made a motion to adopt Resolution 06-46; Planning Module for Briarsdale Road 30 Room Hotel. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote; Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 06-47; Planning Module for 6009 Jonestown Road

Mr. Wolfe noted that this is a planning module that will plan for sanitary sewer facilities in the Beaver Creek drainage basin in Lower Paxton Township in accordance with the sewage facilities plan for a small commercial building of less than 3,000 square feet in size.

Mr. Crissman made a motion to adopt Resolution 06-47; Planning Module for 6009 Jonestown Road. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote; Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there were eleven Improvement Guarantees.

Autumn Ridge, Phase II

An extension and increase in a letter of credit with Fulton Bank in the amount of \$6,146.80 with an expiration date of December 17, 2007.

Baker Subdivision

An extension and increase in a letter of credit with Fulton Bank in the amount of \$34,592.69 with an expiration date of December 16, 2007.

Bern6, LLC

An extension and increase in a letter of credit with Fulton Bank in the amount of \$9,994.60 with an expiration date of December 13, 2007.

Commerce Business Park, Lot E

A new letter of credit with Graystone Bank in the amount of \$113,100.00 with an expiration date of December 1, 2007.

Harrisburg Gastroenterology, Ltd.

A release in a letter of credit with Fulton Bank in the amount of \$4,585.90.

Harrisburg News Company

A release in a letter of credit with Fulton Bank in the amount of \$1,100.00.

Kendale Oaks, Phase V

A new bond with Arch Insurance Company Bank in the amount of \$657,000.00 with an expiration date of November 14, 2007.

Old Iron Estates, Phase I

An extension and increase in a letter of credit with Fulton Bank in the amount of \$96,648.75 with an expiration date of December 9, 2007.

Shoppes at Colonial Road

A release in an escrow with Lower Paxton Township in the amount of \$3,300.00.

Robert E. Smith

A new escrow with Lower Paxton Township in the amount of \$2,100.00 with an expiration date of November 21 2007.

Sunnyhill Farms - North

An extension and increase in a letter of credit with Mid Penn Bank in the amount of \$100,464.48 with an expiration date of November 21, 2007.

Mr. Crissman made a motion to approve the eleven listed Improvement Guarantees as presented. Mr. Blain seconded the motion, and a unanimous voice vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion, and a unanimous vote followed.

Announcements

Mr. Hawk noted that Shawn Magaro, the newly hired Human Resource Manager was present in the audience for the meeting. He welcomed him officially as a new Township employee.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion and the meeting adjourned at 7:58 p.m.

Respectfully submitted,

Maureen Heberle

Approved by:

Gary A. Crissman
Township Secretary